



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. A01014
CMJ/sd

In re application of
John Michael Friel

Serial No.: 09/766,435

Confirmation No.: 7158

Filed: 1/19/01

For: DISTRIBUTED PAINT
MANUFACTURING SYSTEM

Group Art Unit: 3627

Examiner: Lynda C. Jasmin

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GROUP 3600

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER
TO OBVIATE DOUBLE PATENTING REJECTION
(37 C.F.R. §1.321)

Sir:

I, Chipso M. Jolibois, am authorized to sign on behalf of Rohm and Haas Company, a corporation organized under the laws of the State of Delaware, the assignee of the entire interest in the United States Patent Application of Serial No. 09/766,435, which was filed January 19, 2001. Rohm and Haas Company hereby disclaims all that portion of the term of any patent to be issued on Application No. 09/766,435 subsequent to the expiration of United States Patent No. 6,531,537, and hereby agrees that any patent to be issued on Application No. 09/766,435 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,531,537, this agreement

to run with any patent granted on Application No. 09/766,435, and to be binding upon the grantee of said patent and their successors or assigns.

In making the above disclaimer, Rohm and Haas Company does not disclaim the terminal part of any patent granted on Application No. 09/766,435 prior to the expiration date of the full statutory term of United States Patent No. 6,531,537, in the event that United States Patent No. 6,531,537 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Application No. 09/766,435 and United States Patent No. 6,531,537 are assigned to a common entity, the Rohm and Haas Company. The assignment of United States Patent No. 6,531,537 (issued from Application No. 09/785,152) is found at reel/frame 013896/0984 date of recordation: March 31, 2003. The assignment of the present Application No. 09/766,435 is attached hereto.

As an authorized representative of the assignee empowered to sign on behalf of the assignee, I have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is Rohm and Haas', as assignee, who seeks to take this action of terminal disclaimer. I hereby declare and say that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Please charge the requisite fee of \$110.00 for submission of this Terminal Disclaimer (pursuant to 37 C.F.R. § 1.20(d)) to Deposit Account No. 18-1850. A duplicate of this Terminal Disclaimer is attached for this purpose. Please charge

any additional fees due, or credit any overpayments, to Deposit Account No. 18-1850.

Respectfully submitted,

ROHM AND HAAS COMPANY



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April 29, 2004